

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA, YUMA DIVISION**

United States of America

CASE: 19-62189MP

vs.

Engel Diaz-Arauz

JUDGMENT IN A CRIMINAL CASE (For A Petty Offense)

The Defendant, Engel Diaz-Arauz, was represented by counsel, George Romero (FPD).

The defendant pled guilty to the Complaint on 08/01/2019. Accordingly, the defendant is adjudged guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>
8 U.S.C. 1325(a)(1)	Illegal Entry	07/31/2019

As pronounced on 08/01/2019, the defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of TIME SERVED. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The special assessment imposed pursuant to 18 U.S.C. § 3013 is hereby remitted pursuant to 18 U.S.C. § 3573 because reasonable efforts to collect this assessment are not likely to be effective.

The fine is waived because of the defendant's inability to pay.

Signed on Thursday, August 01, 2019.



James F. Metcalf
United States Magistrate Judge

Arresting Agency: YUM

FBI Number: K31FNT06T

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA - YUMA**

MAGISTRATE JUDGE'S MINUTES

Date: 08/01/2019

Case Number: 19-62189MP

USA vs. **Engel Diaz-Arauz**

U.S. MAGISTRATE JUDGE: JAMES F. METCALF Judge AO Code: 70BV

ASSIGNED U.S. Attorney: John Ballos

INTERPRETER REQ'D: Miguel Aguayo, Spanish

Attorney for Defendant: George Romero (FPD)

PROCEEDINGS: ☒ INITIAL APPEARANCE/CHANGE OF PLEA/SENTENCE

DEFENDANT: ☒ PRESENT ☒ CUSTODY

☒ Defendant states true name to be **Same**

☒ Petty Offense ☒ Date of Arrest: **07/31/2019**

☒ Arr/Plea of Guilty entered as to the Complaint.

☒ Court accepts defendant's plea and finds plea to be freely and voluntarily given.

☒ Defendant waives preparation of the presentence report.

SENTENCING: Defendant committed to ☒ Bureau of Prisons for a period of
TIME SERVED

☒ Imposition of Special Assessment is waived by the USA.

☒ Defendant advised of appeal rights.

OTHER: George Romero (FPD) is appointed as attorney of record for defendant.

Recorded by Courtsmart COP: 2

BY: Angela Gutierrez Sent: 0

Deputy Clerk IA: 0

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

United States of America

vs.

Engel Diaz-Arauz

YOB: 1997

CRIMINAL COMPLAINT
CASE: 19-62189MP
Citizenship: NICARAGUA

DOA: 07/31/2019

I state that I am a Border Patrol Agent and that this complaint is based on the following facts: That on or about July 31, 2019, near San Luis, Arizona in the District of Arizona, Defendant Engel DIAZ-Arauz, an alien, did knowingly and willfully enter the United States at a time or place other than as designated by Immigration Officers of the United States of America, in violation of Title 8, United States Code, Section 1325(a)(1) (Misdemeanor).

The Defendant, a citizen of Nicaragua and illegally within the United States, was encountered by Border Patrol agents near San Luis, Arizona. The Defendant was questioned as to their citizenship and immigration status. Agents determined that the Defendant is an undocumented National of Nicaragua and illegally in the United States. The Defendant was transported to the Border Patrol station for processing. During processing, questioning and computer records checks the above criminal and immigration information was obtained as it relates to this Defendant. After the defendant was advised of his Miranda rights, he stated he was going to Haledon, New Jersey. The Defendant last entered the United States illegally without inspection near San Luis, Arizona on July 31, 2019. To the best of my knowledge and belief, the following is a list of Border Patrol law enforcement personnel present during interviews, statements and questioning of the Defendant in this matter from initial contact through the writing of this document: Miguel Carreras, Daniel Montes, Ismael Picano, and Miguel Toledo. To the best of my knowledge and belief, the following is a list of all Border Patrol law enforcement personnel not already mentioned above who were present and/or took part in other parts of this investigation (e.g., arrest, search, proactive investigation, surveillance, etc) from initial field contact through the writing of this document: Mark Adams.

File Date: 08/01/2019

at Yuma, Arizona



Stephen M. Seward, Border Patrol Agent

Sworn to before me and subscribed in my presence,

Date signed: 08/01/2019



James F. Metcalf
United States Magistrate Judge

FBI Number: K31FNT06T

Magistrate Information Sheet

Complaint: Engel Diaz-Arauz

Criminal History: NONE

Immigration History: NONE